

# **CITY OF SAN DIEGO COUNCIL DOCKET**



## **COUNCIL PRESIDENT**

**Sherri Lightner • First District**

## **COUNCIL PRESIDENT PRO TEM**

**Marti Emerald • Ninth District**

## **COUNCIL MEMBERS**

**Lorie Zapf • Second District**

**Todd Gloria • Third District**

**Myrtle Cole • Fourth District**

**Mark Kersey • Fifth District**

**Chris Cate • Sixth District**

**Scott Sherman • Seventh District**

**David Alvarez • Eighth District**

**Andrea Tevlin  
Independent  
Budget Analyst**

**Jan Goldsmith  
City Attorney**

**Liz Maland  
City Clerk**

<b>Council Chambers, 12<sup>th</sup> Floor, City Administration Building</b>
--

**Tuesday, April 5, 2016**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, APRIL 5, 2016, AT 10:00 AM  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

-----

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

**NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. – 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.**

**OTHER LEGISLATIVE MEETINGS**

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at (619) 578-7564.

Internet access to the agenda is available at:

<http://www.sdhc.org/Media-Center/SDHC-Meetings/Housing-Authority-Meetings/>

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF COUNCIL MINUTES**

The Council Minutes of the following meetings will be approved by Unanimous Consent unless pulled for discussion:

02/22/2016

02/23/2016

**ADOPTION AGENDA, CONSENT ITEMS**

The Consent items listed are considered to be routine, and the environmental documents have been considered. These items are indicated on the docket by a preceding asterisk (\*). Because these items may be handled quickly, if you wish to be heard submit your Request to Speak from prior to the start of the meeting.

**ADOPTION AGENDA, CONSENT ITEMS**  
**ORDINANCES TO BE INTRODUCED:**

- \* ITEM-50: Amendment No. 1 to the Memorandum of Understanding Between the City of San Diego and the County of San Diego for use of a Case Management System.

**ITEM DESCRIPTION:**

This item approves an ordinance authorizing the Mayor, or his designee, to execute Amendment No. 1 to the Agreement between the City Attorney's Office and the District Attorney's Office for case management software and related services.

**CITY ATTORNEY'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2016-97)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute, for and on behalf of the City, Amendment No. 1 to the Memorandum of Understanding (MOU) between the City of San Diego and the County of San Diego for software and services related to use of a case management system, for the purposes of extending the term of the MOU through June 30, 2021, authorizing payments retroactively to November 10, 2014, and otherwise modifying the MOU, pursuant to the terms and conditions set forth in Amendment No. 1 to the MOU;

Authorizing the Chief Financial Officer to expend funds in the amount not to exceed a total of \$100,000 for each remaining contract year of the Agreement, with each contract year beginning on November 10, contingent upon the approval of the Appropriation Ordinance for the applicable fiscal years and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

**NOTE: 6 votes required pursuant to Section 99 of the City Charter.**

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This Amendment No. 1 will be funded from the following funds: Fund No. 100000 - General Fund with a not to exceed amount of \$100,000 per contract year through June 30, 2021.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

This item was heard at the Budget and Government Efficiency Committee meeting on March 16, 2016.

ACTION: Motion by Councilmember Sherman, second by Councilmember Cate, to recommend Council approval of the ordinance.

VOTE: 4-0; Gloria-yea, Sherman-yea, Cole-yea, Cate-yea.

Nuesca

Primary Contact\Phone: Tanya Tomlinson\619-533-5811, MS 59

Secondary Contact\City Attorney Contact\Phone: Steven R. Lastomirsky\619-236-6468, MS 59

- \* ITEM-51: Approval of First Amendment to the Agreement between the City of San Diego and CGI Technologies and Solutions, Inc., for IT Services, specifically related to the provision of Application Development and Maintenance Services.

**ITEM DESCRIPTION:**

This action is to approve a First Amendment to the Agreement between the City of San Diego and CGI Technologies and Solutions, Inc., for Application Development and Maintenance Services. This Amendment requests an increase to the not-to-exceed amount to \$144,194,566 and extends the contract term by 2 years and 8 months.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance:

(O-2016-105)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute the First Amendment to the Agreement with CGI Technologies and Solutions, Inc., for Application Development and Maintenance Services, for the purpose of extending the term of the Agreement by two years and eight months, increasing the not-to-exceed amount of the Agreement to \$144,194,566, and otherwise modifying the Agreement, pursuant to the terms and conditions contained in the First Amendment to the Agreement;

Authorizing the Chief Financial Officer to expend an amount not-to-exceed \$144,194,566 over the seven years and eight months term of this Agreement for the purpose of funding the fixed cost and as-needed Citywide Application Development and Maintenance Services Agreement with CGI Technologies and Solutions, Inc., contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

**NOTE: 6 votes required pursuant to Section 99 of the City Charter.**

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The current CGI 5 year contract was authorized with a not-to-exceed ("NTE") amount of \$70,644,132. The estimated spend up to Year 5 of the contract is currently \$84,053,033. Based upon increasing ADM needs, it is estimated that an additional \$73,550,434 will be required to meet the increasing demand with a new total not to exceed amount of \$144,194,566.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

On May 23, 2012, the City Council approved the Agreement with CGI Technologies & Solutions, Inc., to provide application development and maintenance services for a term of five (5) years, under the terms and conditions set forth in the Agreement, on file with the City Clerk as Document No. RR-307432-2, and for one optional two-year extension of the Agreement, contingent on Council approval of a future ordinance for the extension and actual negotiated cost.

This action was heard at the Budget and Government Efficiency Committee meeting on March 16, 2016.

**ACTION:** Motion by Councilmember Cate, second by Councilmember Cole, to recommend Council approval of the ordinance.

**VOTE:** 4-0; Gloria-yea, Sherman-yea, Cole-yea, Cate-yea.

Behnke/Villa

Primary Contact\Phone: Shawn Killpack\619-533-3059, MS 658B

Secondary Contact\Phone: Jonathan Behnke\619-533-3637, MS 658B

City Attorney Contact: Lastomirsky, Steven R.

- \* ITEM-52: Second Amendment to the Agreement with the City of Del Mar for Water Treatment and Transportation Services to extend for 50 years. (Citywide.)

**ITEM DESCRIPTION:**

This is an Amendment to the current Contract to extend under the same terms and conditions for a term of 50 years between the City of San Diego and the City of Del Mar for the Treatment and Transportation of Water for the City of Del Mar.

**STAFF'S RECOMMENDATION:**

Introduce the following ordinance: (Rev. 4/1/16)

(O-2016-85)

Introduce the following Ordinance authorizing the Mayor, or his designee, to execute a Second Amendment to the existing Agreement for an extension of 50 years between the City of San Diego and the City of Del Mar for the treatment and transportation of water to the City of Del Mar; (Rev. 4/1/16)

Authorizing the Chief Financial Officer, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This Agreement will not incur additional expenses. This Agreement will extend the current Contract for 50 years. This Agreement will generate revenue by charging the City of Del Mar to treat and transport treated potable water.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

Agreement between City of San Diego and the City of Del Mar, R-181171, dated August 25, 1964, First Amendment RR-274531, filed October 10, 1989.

This item was heard at the Environment Committee meeting on March 17, 2016.

ACTION: Motion by Councilmember Cate, second by Councilmember Gloria, to recommend Council introduce the ordinance.

VOTE: 4-0; Alvarez-yea, Cate-yea, Sherman-yea, Gloria-yea.

Jones-Santos/Gomez

Primary Contact\Phone: Jeanne Cole\858-292-6313, MS 901A  
Secondary Contact\Phone: Edgar Patino\858-292-6321, MS 901A  
City Attorney Contact: Palmucci, Raymond C.

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING  
WITH THE READING AND ADOPTION:

\* ITEM-53: This item has been removed from today's docket. (Rev. 3/30/16)



TUESDAY, APRIL 5, 2016

Page 8

- \* ITEM-54: Amended and Restated Park Development and Reimbursement Agreement with Pardee Homes for OM P-2, Dennery Ranch Neighborhood Park in the Otay Mesa Community. (Otay Mesa Community Area. District 8.)

**ITEM DESCRIPTION:**

Requesting approval of the Amended and Restated Park Development and Reimbursement Agreement with Pardee Homes for OM P-2, Dennery Ranch Neighborhood Park in the Otay Mesa Community.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 3/15/2016, Item 50. (Council voted 9-0):

(O-2016-63)

Authorizing the Mayor to execute an Amended and Restated Park Development and Reimbursement Agreement with Pardee Homes for the land acquisition, design, and construction of OM P-2, Dennery Ranch Neighborhood Park in Otay Mesa;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$15,100,000 from CIP S-00636, Dennery Road (Black Coral Way to Topsail Drive), Fund No. 400856, Otay Mesa Facilities Benefit Assessment (FBA), consistent with the timing established in the Fiscal Year 2014, Otay Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, and contingent upon the Chief Financial Officer furnishing one or more certificate(s) certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Authorizing the Chief Financial Officer, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

**NOTE: 6 votes required pursuant to Section 99 of the City Charter.**

\* ITEM-55: Water Conservation Garden Joint Powers Authority Agreement. (Citywide.)

### **ITEM DESCRIPTION**

The City of San Diego joined the Water Conservation Garden Joint Powers Authority (JPA) in 2003 and has been paying its annual dues since 2003 in support of the Garden and the JPA. In August of 2015, when preparing payments for FY 2016 dues, it was identified that: 1) there was no ordinance that extended the City's commitment beyond the initial 5 years; and 2) the Agreement signature page did not contain the current required signatures for City Contracts. In order to comply with current requirements, the Public Utilities Department is re-routing the original Agreement with a new signature page, seeking approval for past and future JPA membership dues, and requesting authorization for the City's continued participation until 2026.

### **CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 3/15/2016, Item 51. (Council voted 8-0. Council President Pro Tem Emerald-not present):

(O-2016-57)

Authorizing the Mayor, or his designee, to validate the City's participation in the Water Conservation Garden's Joint Powers of Authority (JPA) by amending the signature page of the original 2003 Agreement to reflect the appropriate signature authority;

Authorizing the retroactive validation and authorization of payment of the City's annual dues from Public Utilities 700011 Water Utility Operating Fund, Cost Center No. 2000141301, and General Ledger No. 512172, from the date of the original 2003 Agreement through Fiscal Year 2015;

Authorizing the Mayor, or his designee, to execute the First Amendment to the Agreement with the JPA for the continued participation in the Water Conservation Garden JPA for Fiscal Years 2016, and 2017, using the same accounting numbers, in an amount not to exceed \$78,097 annually;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$78,097 from Public Utilities 700011 Water Utility Operating Fund, Cost Center No. 2000141301, and General Ledger No. 512172, for the purpose of funding this First Amendment to the Agreement for Fiscal Years 2016, and 2017, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City's continued participation in the Water Conservation Garden JPA through the First Amendment for Fiscal Years 2018 through 2026, using the same accounting numbers, in an amount not to exceed \$80,000 annually;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$80,000 from Public Utilities 700011 Water Utility Operating Fund, Cost Center No. 2000141301, and General Ledger No. 512172, for the purpose of funding this First Amendment from FY 2018 through FY 2026, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

**NOTE: 6 votes required pursuant to Section 99 of the City Charter.**

- \* ITEM-56: Reimbursement Agreement with Ryland Homes for Project 34-25C, Fairbrook Neighborhood Park Grading and Half-Width Street Improvements, in the Scripps Miramar Ranch Community. (Scripps Miramar Ranch Community Area. District 5.)

**ITEM DESCRIPTION:**

Reimbursement Agreement with Ryland Homes for the permitting and design costs of Project 34-25C, Fairbrook Neighborhood Park Grading and Half-Width Street Improvements, in the Scripps Miramar Ranch Community.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 3/15/2016, Item 52. (Council voted 8-0. Council President Pro Tem Emerald-not present):

(O-2016-94)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, a Reimbursement Agreement with Ryland Homes of California, Inc., for the permitting and design for Project 34-25C, Fairbrook Neighborhood Park-Grading and Half Width Street Improvements, in the Scripps Ranch Community, under the terms and conditions set forth in the Agreement;

Waiving San Diego Municipal Code Section 22.3202, Council Policies 300-07 and 100-10, and Administrative Regulation 25.60, regarding consultant services election, with respect to the following consultants: (1) Koloa Pacific Construction for general engineering services; (2) Schilling Paradise for general engineering and electrical services; (3) Hunsaker & Associates for planning, general engineering and surveying services; (4) Inland Erosion Control for general engineering - erosion control services; (5) Marathon General for general engineering - grading and paving services; (6) Nissho for landscape services; and (7) SJA Inc., for landscape services;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$175,000 from CIP S-01083, Fairbrook Neighborhood Park Development, District Fund No. 400029, consistent with the timing established in the most recently adopted Scripps Miramar Ranch Public Facilities Financing Plan, and contingent upon the Chief Financial Officer furnishing one or more certificate(s) certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

- \* ITEM-57: Reimbursement Agreement with Pardee Homes for the design and construction of Project No. P-3.1, Pacific Highlands Ranch Community Park and Recreation Building. (Pacific Highlands Ranch Community Area. District 1.)

**ITEM DESCRIPTION:**

Reimbursement Agreement with Pardee Homes for the design and construction of Pacific Highlands Ranch Community Park and Recreation Building (Project No. P-3.1). Waiver of the Consultant Services Selection process under San Diego Municipal Code Section 22.3202, and Council Policies 300-07 and 100-10.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 3/15/2016, Item 53. (Council voted 8-0. Council President Pro Tem Emerald-not present):

(O-2016-92)

Authorizing the Mayor to execute, for and on behalf of the City, a Reimbursement Agreement with Pardee Homes for the design and construction of Project Nos. P-31 and 43-15, consisting of the design and construction of the Pacific Highlands Ranch Community Park and Recreation Building, and the entirety of Project No. 43-19, consisting of the design and construction of the Pacific Highlands Ranch Community Park Recreation Building, under the terms and conditions set forth in the Agreement;

Waiving the consultant selection requirements of San Diego Municipal Code Section 22.3202, Council Policy 300-07, and Council Policy 100-10 as to the following consultants: (1) Leppert Engineering and Latitude 33 shall be the prime consultants for civil engineering and landscape architecture; (2) Schmidt Design Group shall be the consultant for preparation of the GDP; (3) hgw architects, Hanna Gabriel Wells shall be the building architect; (4) RECON Environmental, Inc., shall be the environmental consultant; (5) Geocon Incorporated shall be the geotechnical and soils consultant; (6) Urban System Associates, Inc., shall be the consultant for traffic and transportation engineering; (7) MJS Construction Management and Engineering, Inc., shall be the consultant for construction management; and (8) Utility Specialists, Inc., shall be the dry utilities coordinator;

Authorizing the Chief Financial Officer to re-title CIP Fund No. RD-16002 from Pacific Highlands Ranch Community Park to Pacific Highlands Ranch Community Park and Recreation Building;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$27,236,000 from CIP Fund No. RD-16002 Pacific Highlands Ranch Community Park and Recreation Building, FBA Fund No. 400090, Pacific Highlands Ranch Facilities Benefit Assessment, and FBA Fund No. 400089, Del Mar Mesa Facilities Benefit Assessment, consistent with the timing established in the most recently adopted Del Mar Mesa and Pacific Highlands Ranch Financing Plans, and contingent upon the Chief Financial Officer furnishing one or more certificate(s) certifying that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Chief Financial Officer upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

**NOTE: 6 votes required pursuant to Section 99 of the City Charter.**

\* ITEM-58: 10th Update to the Land Development Code and Local Coastal Program.  
(Citywide.)

**ITEM DESCRIPTION:**

The 10th Update is a package of Amendments to the Land Development Code. There are 38 Amendments; the bulk of which is regulatory reform. Significant items include modification of the utilization requirement for capital improvement program projects, clarification of the site survey requirement for development over 45 years old, amendments to facilitate shared parking, and streamlining for development of schools, home occupations, and boarding kennels. The Amendments comply with new federal and state standards and the City's Climate Action Plan. Issues No.1, No. 9, and No. 17 have been withdrawn from the initial package of 41 items.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 3/14/2016, Item 201. (Council voted 9-0):

(O-2016-93 Rev. Copy)

Amending Chapter 11, Article 2, Division 3 of the San Diego Municipal Code by amending Sections 112.0301 and 112.0302; amending Chapter 11, Article 2, Division 5 by amending Sections 112.0505 and 112.0507; amending Chapter 11, Article 3, Division 1 by amending Section 113.0103; amending Chapter 11, Article 3, Division 2 by amending Sections 113.0225, 113.0234, and 113.0273; amending Chapter 12, Article 1, Division 3 by amending Sections 121.0314 and 121.0315; amending Chapter 12, Article 6, Division 1 by amending Section 126.0108; amending Chapter 12, Article 6, Division 3 by amending Section 126.0303; amending Chapter 12, Article 6, Division 4 by amending Section 126.0402; amending Chapter 12, Article 6, Division 7 by amending Section 126.0707; amending Chapter 12, Article 9, Division 2 by amending Section 129.0203; amending Chapter 12, Article 9, Division 3 by amending Section 129.0308; amending Chapter 12, Article 9, Division 7 by amending Section 129.0710; Amending Chapter 13, Article 1, Division 2 by amending Sections 131.0222 and 131.0231; amending Chapter 13, Article 1, Division 3 by amending Sections 131.0322 and 131.0331; amending Chapter 13, Article 1, Division 4 by amending Sections 131.0422 and 131.0431; amending Chapter 13, Article 1, Division 5 by amending Sections 131.0522 And 131.0531; amending Chapter 13, Article 1, Division 6 by amending Sections 131.0601, 131.0622, and 131.0631; amending Chapter 14, Article 1, Division 3 by amending Section 141.0308 and repealing Section 141.0310; amending Chapter 14, Article 1, Division 4 By amending Section 141.0407 and by adding new Section 141.0419; amending Chapter 14, Article 1, Division 6 by amending Sections 141.0604 and 141.0607; amending Chapter 14, Article 2, Division 4 by amending Sections 142.0402, 142.0404, and 142.0413; amending Chapter 14, Article 2, Division 5 by amending



Sections 142.0505, 142.0520, 142.0525, 142.0527, 142.0530, 142.0545, and 142.0560; amending Chapter 14, Article 2, Division 13 by amending Section 142.1305; amending Chapter 14, Article 3, Division 1 by amending Sections 143.0112 and 143.0146; amending Chapter 14, Article 3, Division 2 by amending Section 143.0212; amending Chapter 14, Article 3, Division 3 by amending Sections 143.0302 and 143.0365; amending Chapter 14, Article 3, Division 4 by amending Sections 143.0402 and 143.0410 and by adding new Section 143.0455; amending Chapter 14, Article 3, Division 9 by amending Section 143.0915; amending Chapter 14, Article 4, Division 1 by amending Section 144.0130; amending Chapter 15, Article 1, Division 1 by amending Section 151.0103; amending Chapter 15, Article 2, Division 1 by amending Section 152.0104; amending Chapter 15, Article 2, Division 3 by amending Sections 152.0303 And 152.0309; amending Chapter 15, Article 5, Division 2 by amending Sections 155.0238 and 155.0253; amending Chapter 15, Article 6, Division 3 by amending Section 156.0308; amending Chapter 15, Article 8, Division 3 by amending Section 158.0301; amending Chapter 15, Article 12, Division 3 by amending Section 1512.0302; amending Chapter 15, Article 14, Division 3 by amending Sections 1514.0304 and 1514.0305; amending Chapter 15, Article 18 Appendix A, all relating to the 10th Update to the Land Development Code and related provisions.

\* ITEM-59: Public Facilities Financing Authority of the City of San Diego Water Revenue Bonds (Capital Improvement Projects & Advance Refunding). (Citywide.)

**ITEM DESCRIPTION:**

Authorize the issuance of the Public Facilities Financing Authority of the City of San Diego of one or more series of its Water Revenue Bonds in an aggregate principal amount not to exceed \$835,000,000 to provide net proceeds of \$80,000,000 to finance capital improvements to the Water System, and to refund all or a portion of the Authority's outstanding Water Revenue Bonds, and/or all or a portion of certain SRF Loans. Authorize the execution of related financing documents. Authorize City Attorney to retain Bond and Disclosure Counsel, Orrick, Herrington & Sutcliffe LLP; and authorize the Chief Financial Officer to establish one or more special interest bearing account for proceeds of 2016 Water Revenue Bonds.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 3/15/2016, Item 330, Subitem A. (Council voted 8-0. Council President Pro Tem Emerald-not present):

(O-2016-90)

(i) Approving the Forms and authorizing the execution and delivery of one or more, (a) Supplemental Indentures, (b) Supplements to Master Installment Purchase Agreement, (c) Escrow Agreements, and (d) Continuing Disclosure Certificates; (ii) Approving and authorizing the issuance and sale by the Public Facilities Financing Authority of the City of San Diego of one or more series of its Water Revenue Bonds in an aggregate principal amount not to exceed \$835,000,000 to provide net Bond proceeds up to \$80,000,000 to finance additional capital improvements to the Water System and to refund all or a portion of the Public Facilities Financing Authority of the City of San Diego Water Revenue Bonds and/or all a portion of the loans provided to the City by the California State Water Resources Control Board to achieve savings; and (iii) approve certain other Agreements and actions in connection therewith.

- \* ITEM-60: An Ordinance Approving A Side Letter Agreement Between the City and the San Diego Municipal Employee's Association (SDMEA) Related to Payment of Error-Related Interest Charges Associated with San Diego City Employee's Retirement System (SDCERS) Administration of the City's Pension Plan.

**ITEM DESCRIPTION:**

This action is an Ordinance to approve a Side Letter Agreement between the City and San Diego Municipal Employee's Association (SDMEA) related to payment of error-related interest charges associated with San Diego City Employee's Retirement System (SDCERS) Administration of the City's Pension Plan.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 3/22/2016, Item 330. (Council voted 9-0):

(O-2016-95)

Approving and ratifying the Side Letter Agreement between the City and the San Diego Municipal Employee's Association (SDMEA), related to payment of interest to San Diego City Employee's Retirement System (SDCERS), pursuant to the Meyers-Milias-Brown Act and City Council Policy 300-06.

**NOTE: 6 votes required pursuant to Section 99 of the City Charter.**

\* ITEM-61: McKinley Elementary School Joint Use Agreement. (Greater North Park Community Area. District 3.)

**ITEM DESCRIPTION:**

This action will establish a 25 year Joint Use Agreement with the San Diego Unified School District (District) for McKinley Elementary School for the construction, operation, and maintenance of a turf field and recreational facility at the school.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 3/22/2016, Item 50. (Council voted 9-0):

(O-2016-96)

Authorizing the Mayor, or his designee, to execute the Agreement between the City and the District for the construction, operation, and maintenance of a turf field and recreational facilities at McKinley Elementary School, under the terms and conditions set forth in the document.

**NOTE: 6 votes required pursuant to Section 99 of the City Charter.**

**ADOPTION AGENDA, CONSENT ITEMS****RESOLUTIONS:**

- \* ITEM-100: Awarding Agreement with Deloitte Consulting LLP (Deloitte) for Systems Integrator (SI) Consulting Services for the (Infrastructure Asset Management) I AM San Diego Project.

**ITEM DESCRIPTION:**

Council authorization to award a contract Deloitte Consulting LLP (Deloitte) for Systems Integrator (SI) Consulting Services for the I AM San Diego Project. The services are needed to design, develop, and implement an integrated Infrastructure Asset Management (IAM) software solution using the SAP suite of tools, Environmental Systems Research Institute's (ESRI) Geographic Information System (GIS), Riva Modeling, and other products. This system will provide City staff with state-of-the-art technology so that staff can more effectively and sustainably manage infrastructure assets at a desired level of service for the lowest lifecycle cost.

**STAFF'S RECOMMENDATION**

Adopt the following resolution:

(R-2016-439)

Authorizing the Mayor, or his designee, to execute a phase funded Agreement with Deloitte Consulting LLP (Deloitte) for Systems Integrator Professional Services in CIP S-14000 (I AM San Diego Project), in an amount not to exceed \$20,570,000 of which \$18,700,000 is for performance of the contract scope of services and \$1,870,000 is for additional services if required, for the duration of three (3) years;

Authorizing the Chief Financial Officer to expend funds in an amount not to exceed \$2,851,750 for Fiscal Year 2016, from CIP S-14000 (I AM San Diego Project), Funds 700008 (Muni Sewer Utility CIP), 700009 (Metro Sewer Utility CIP), 700010 (Water Utility CIP), and 200610 (SAP Support Fund);

Authorizing the Chief Financial Officer to expend an amount not to exceed \$17,718,250 in total from CIP S-14000 (I AM San Diego Project); General Fund 100000; Wireless Communications Technology Fund 700011; for the completion of the contract, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal years, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

**STAFF SUPPORTING INFORMATION:****FISCAL CONSIDERATIONS:**

The total estimated cost of the systems integrator contract is \$20,570,000 over three Fiscal Years (FY 2016-2018). The total amount for FY 2016 is \$2,851,750 with the remaining \$17,718,250 being funded in FY 2017 (\$12,809,500) and FY 2018 (\$4,908,750).

The contract will primarily be funded via CIP S-14000 (\$19,502,676). The total CIP amount for FY 2016 is \$2,851,750, and is available within S-14000. The remaining CIP amount of \$16,650,926 will be available within S-14000 and phase funded in FY 2017 and FY 2018. The portion of the contract related to training activities (\$1,067,324) will be funded in FY 2017 by Operations and Maintenance Funds (General Fund, Public Utilities Enterprise Funds and Wireless Communications Technology Fund).

The Debt Management Department is reviewing the I AM San Diego Project's overall funding needs and expects to establish a Lease Purchase Agreement to be available in the beginning of FY 2017 for the financing of the General Fund's portion of capitalizable expenses to be incurred in FY 2017 and FY 2018. The total amount to be financed for these two fiscal years is estimated at approximately \$10,000,000, to be repaid over a seven (7) to ten (10) year term from the General Fund. An estimated \$1,500,000, which is the non-financed amount of the General Fund share of the project cost, will be appropriated as a pay go cost during the FY 2017 and FY 2018 budget cycles. Additionally, Water Utility's share of the project costs will be evaluated for lease purchase financing if sufficient cash is not expected to fund the costs on a pay go basis.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

Project updates were provided to Infrastructure Committee on July 22, 2015, and December 9, 2013.

An Agreement for business process consulting services for the Project was approved by Infrastructure Committee on September 16, 2015, and City Council on October 6, 2015.

This item was presented at the Infrastructure Committee meeting on March 16, 2016.

**ACTION:** Motion by Councilmember Zapf, second by Vice-Chair Cole, to recommend Council adopt the resolution and approve the agreement.

**VOTE:** 3-0; Kersey-yea, Cole-yea, Zapf-yea, Emerald-not present.

Gomez

Primary Contact\Phone: Erin Noel\619-533-3640, MS 614C  
City Attorney Contact: Leone, Christine M.

- \* ITEM-101: Amendment No. 3 to the Agreement with Black & Veatch Corporation for the Cost of Service Study, Contract No. 4600001212, RFP No. 10020688-12-C. (Citywide.)

**ITEM DESCRIPTION:**

The Public Utilities Department is requesting approval of the Third Amendment to the cost of Service Contract with Black & Veatch Corporation (B&V) for the additional tasks identified: to finalize a Wastewater Cost of Service Study (COSS), and assist the Department with additional Federal and State grant and loan opportunities for the Pure Water Program.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-429)

Authorizing the Council President in his capacity under Charter Section 265(i), or his designee, to execute, for and on behalf of the City, Amendment No. 3 to the contract with Black & Veatch, in an amount not to exceed \$414,400, on the terms and conditions set forth in the document;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$414,400, of which \$154,675, is from the Water Operating Fund 700011, \$105,050 from the Muni Sewer Revenue Fund 700000, and \$154,675, is from the Metro Sewer Utility Fund 700001, solely and exclusively, to provide funds for the above Amendment No. 3, provided that the Chief Financial Officer furnishes one or more certificates demonstrating that the funds are, or will be, on deposit with the City Treasurer.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The total amount of Amendment No. 3 is not to exceed \$414,400, of which \$154,675 is available in Water Utility Operating Fund 700011, \$105,050 is available in Muni Sewer Revenue Fund 700000, and \$154,675 is available in Metro Sewer Utility Fund 700001.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

Original Agreement was approved via Mayoral action (C-15789) on May 10, 2012.

Amendment No. 1 to this contract was approved by the Natural Resources and Cultural Committee on September 19, 2012, and approved by Council, on consent on October 16, 2012, as R-307741.

Amendment No. 2 was heard at the Natural Resources and Cultural Committee meeting on September 25, 2013, and approved by Council, on consent on October 15, 2013, as R-308506.

This item was heard at the Environment Committee meeting on March 17, 2016.

**ACTION:** Motion by Councilmember Cate, second by Chair Alvarez, to recommend Council adopt the resolution.

**VOTE:** 4-0; Alvarez-yea, Cate-yea, Sherman-yea, Gloria-yea.

Jones-Santos/Gomez

Primary Contact\Phone: Seth Gates\858-614-4030, MS 901

Secondary Contact\Phone: Lee Ann Jones-Santos\858-614-4042, MS 901

City Attorney Contact: Leone, Christine M.



- \* ITEM-102: As-Needed Consultant Services with Towill Inc., for Land Surveying Services (Contract Number H156448). (Citywide.)

**ITEM DESCRIPTION:**

Award a contract for As-Needed Land Surveying Services to Towill, Inc., for an amount not to exceed \$2,000,000 and a maximum duration of five (5) years. This Agreement will provide land surveying services for various Capital Improvement (CI) Projects and non-CI Projects.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-418)

Authorizing the Mayor, or his designee, to execute for and on behalf of the City, the Agreement with Towill, Inc., to provide As-Needed Consultant Services related to land surveying services in an amount not to exceed \$2,000,000, under the terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer, as delegated to Financial Management to appropriate and authorizing the City Comptroller to expend an amount not to exceed \$2,000,000, over a term not to exceed five years for the purpose of funding the Agreement with Towill, Inc., contingent on the adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,000 from B-16002, Pipeline Rehab AM-1, Fund No. 700008, Muni Sewer CIP for the purpose of executing this Agreement, and meeting the minimum contract requirements.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The City agrees to issue a task order(s) with the minimum aggregate value of \$1,000 to Towill, Inc. Funding for this minimum guaranteed amount of \$1,000 is from B-16002, Pipeline Rehab AM-1, Fund No. 700008. The maximum Contract amount shall not exceed \$2,000,000, and the Contract length is five (5) years. Funding for future tasks will be funded by the appropriate CIP Project for these services.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

This item was heard at the Infrastructure Committee meeting on March 16, 2016.

**ACTION:** Motion by Vice-Chair Cole, second by Councilmember Zapf, to recommend Council adopt the resolutions and approve the agreement.

**VOTE:** 3-0; Kersey-yea, Cole-yea, Zapf-yea, Emerald not present.

Gibson/Gomez

Primary Contact\Phone: Rick McCormick\858-627-3214, MS 18

Secondary Contact\Phone: Diana Bergen\858-627-3221, MS 18

City Attorney Contact: DeLara, Jr., Pedro

- \* ITEM-103: Increase the expenditure authority for the City's As-Needed Contract with GM Business Interiors via U.S. Communities Government Cooperative Contract No. 4400003404.

**ITEM DESCRIPTION:**

This action is to increase the expenditure authority for the City's As-Needed Contract with GM Business Interiors via U.S. Communities Government Cooperative Contract No. 4400003404 to a total amount not-to-exceed \$7,630,000.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-474)

Authorizing the Mayor, or his designee, to increase the value of this contract to a not-to-exceed amount of \$7,630,000 to be paid from the operating budgets of the City departments purchasing furniture under the As-Needed Contract with GM Business Interiors (GMBI), contingent upon the adoption upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

As-Needed Citywide Contract expenditures in an amount not to exceed \$7,630,000 to the contract term, ending in December 31, 2016. Expenses are to be paid through the operating budget of each department.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTIONS:**

August 5, 2013 - R-308397 - A Resolution of the Council of the City of San Diego authorizing the Mayor, or his designee, to expend up to \$2,000,000 for the purchase of furniture for City offices through December 31, 2016, for the As-Needed Furniture Contract with GM Business Interiors.

This item was heard at the Budget and Government Efficiency Committee meeting on March 16, 2016.

ACTION: Motion by Councilmember Sherman, second by Councilmember Cole, to recommend Council approval of the resolution.

VOTE: 4-0; Gloria-yea, Sherman-yea, Cole-yea, Cate-yea.

Peralta/Villa

Primary Contact\Phone: Kristina Peralta\619-236-6214, MS 56  
Secondary Contact\Phone: Miguel Duran\619-236-6653, MS 56  
City Attorney Contact: Elliott, Mara W.

- \* ITEM-104: Request for authorization to sell Headquarters Point/South Side of Lusk Street and Torrey Pines Science Park/3050 Callan Road and pay real estate broker commissions. (University and Mira Mesa Community Areas. Districts 1 and 6.)

**ITEM DESCRIPTION:**

Authorize the Mayor, or his designee, to sell Headquarters Point/South Side of Lusk Street (APN 340-090-55) and Torrey Pines Science Park/3050 Callan Road (APN 340-010-45) at or above their appraised values and pay real estate broker commissions based on a percentage of the final sale price for each property.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-496 Cor. Copy)

Authorizing the Mayor, or his designee, to sell that certain 10.32 acres of unimproved real property located at the Headquarters Point/South Side of Lusk Street, identified as Assessor's Parcel No. 340-090-55, valued at \$3,280,000, which is the minimum acceptable sale price for at least the twelve-month period following the passage of this resolution;

Authorizing the Mayor, or his designee, to sell that certain 3.182 acres of unimproved real property located at Torrey Pines Science Park/3050 Callan Road, identified as Assessor's Parcel No. 340-010-45 (Callan Road Property), valued at \$1,870,000, which is the minimum acceptable sale price for at least the twelve-month period following the passage of this resolution;

Directing and authorizing the Mayor, or his designee, to do all of the following in connection with the sale of either property:

1. Each property shall be re-appraised at least once every twelve (12) months until sold, and the resulting appraised value of the property shall become the minimum acceptable sale price, provided that it is greater than the minimum acceptable sale price set for that specific property by this resolution. If the re-appraised value is less than the minimum acceptable sale price set on the date of this resolution, or the Mayor, or his designee, determine that a property cannot be sold at or above the minimum acceptable sale price set on the date of this resolution, the Mayor shall seek review and additional direction from the Council as to the disposition of that property;

2. To ensure that the potential impacts of a proposed sale on the existing physical conditions of the property are analyzed and an environmental review is conducted and in accordance with the California Environmental Quality Act (CEQA) and the City's Land Development Code prior to making a final decision to accept a specific offer to purchase either property;

3. To accept an offer to purchase either of the properties based on the above criteria, on terms and conditions deemed by the Mayor, or his designee, to be reasonable and in the best interest of the City, and to execute and deliver, on behalf of the City, a purchase and sale agreement, grant deed, and all other agreements and documents, necessary to complete the sale and transfer the property to the buyer;

4. To retain, on terms deemed by the Mayor, or his designee, to be reasonable and in the best interests of the City, the services of a real estate broker to represent the City and facilitate the sale of the Property, and to pay said real estate broker a commission related to the sale of the Property in an amount not to exceed three and one-quarter percent (3.25%) of the sale price of the Headquarters Point Property if a sale of the Headquarters Point Property is consummated, and not to exceed three and one-half (3.5%) of the sale price of the Callan Road Property if a sale of the Callan Road Property is consummated, which shall be done in compliance with San Diego Municipal Code Section 22.0905;

Authorizing and directing the Chief Financial Officer to accept the proceeds of the sale of the Headquarters Point Property, net of brokerage commissions and other costs of selling the Headquarters Point Property, and deposit them into the Capital Outlay Pueblo Land/Police Decentralization Fund 400006;

Authorizing and directing the Chief Financial Officer to accept the proceeds of the sale of the Callan Road Property, net of brokerage commission and others costs of selling the Callan Road Property, and deposit then into the Capital Outlay Fund 400002.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Headquarters Point/South side of Lusk Street: proceeds from the sale, net of costs related to the sale, will be deposited in the Capital Outlay Pueblo Land/Police Decentralization Fund 400006 to be used, solely and exclusively, for the purpose of financing acquisition and construction of police substations and other permanent improvements for police purposes in accordance with Ordinance O-12685.

Torrey Pines Science Park/3050 Callan Road: proceeds from the sale, net of costs related to the sale, will be deposited in the Capital Outlay Fund 400002.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

R-303850, June 24, 2008, authorized sale of Torrey Pines Science Park at 3050 Callan Road at a minimum price of \$2,760,000.

An informational item regarding Excess Property Sales was presented to the Smart Growth and Land Use Committee on June 10, 2015.

This item was heard at the Smart Growth and Land Use Committee meeting on February 10, 2016. (Item No. 4 “Sell 4 Excess City Properties...”) and the two other properties will be presented to Council in separate actions. Committee recommended Council authorize the sale of Headquarters Point/South side of Lusk Street and Torrey Pines Science Park/3050 Callan Road.

**ACTION:** Motion by Councilmember Gloria, second by Councilmember Alvarez, to recommend Council authorize the sales of: Torrey Pines Science Park, 3050 Callan Road and Headquarters Point/South Side of Lusk Street and authorize the sale of 540 W. Laurel and 2513/2515 Union after 1) a historical analysis of the property 2) determining whether proceeds from the sale can help fund in part a new park and signs 3) determining feasibility of naming an Uptown park after Dr. Brad Truax 4) determining whether money from the gas tax can be used to fund an AIDS memorial and forward the North Terminus of Campus Point Drive property to Council without recommendation.

**VOTE:** 4-0; Zapf-yea, Gloria-yea, Sherman-yea, Alvarez-yea.

Thompson/Villa

Primary Contact\Phone: Mary Carlson\619-236-6079, MS 51A

Secondary Contact\Phone: Cybele Thompson\619-236-6145, MS 51A

City Attorney Contact: Ables, Melissa D.

- \* ITEM-105: Sewer Easement Acquisition across Marine Corps Air Station (MCAS) Miramar.  
(Miramar Community Area. District 7.)

**ITEM DESCRIPTION:**

This action requests approval for additional funding in the amount of \$8,700 for the purchase of an easement for an existing sewer pipeline across Marine Corps Air Station (MCAS) Miramar, Contract No. N6247315RP00009. This action is for the acquisition of a 50-year extension of an easement, which was previously adopted by Resolution No. R-306975, on August 4, 2011, and Resolution No. R-308353, on July 30, 2013.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-499)

Authorizing the Mayor, or his designee, to acquire and accept the grant of a 50-year easement for a 30" sewer pipeline across a portion of Marine Corps Air Station (MCAS) Miramar from the United States of America;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$8,700, from Municipal Sewer Revenue Fund 700000, for the purchase of the 30" sewer pipeline easement across a portion of MCAS Miramar.

Subitem-B: (R-2016-500)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, and that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The amount of compensation to be paid for the easement will not exceed \$8,700. The funds are available within the existing budget, funding source Municipal Sewer Revenue Fund 700000. Allocated funding shall be used for the purpose of easement acquisition.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

The easement acquisitions/renewals were previously authorized by Resolution No. R-306975, on August 4, 2011.

Additional funding for legal and cadastral review, appraisal and an Environmental Condition of Property review, was adopted by Resolution No. R-308353, on July 30, 2013.

This item was heard at the Smart Growth and Land Use Committee meeting on March 9, 2016.

**ACTION:** Motion by Councilmember Sherman, second by Councilmember Alvarez, to adopt the resolution and authorize the acquisition.

**VOTE:** 3-0; Zapf-yea, Sherman-yea, Alvarez-yea, Gloria-not present.

Thompson/Villa

Primary Contact\Phone: Christina Marin\619-533-6509, MS 51A

Secondary Contact\Phone: Barry Slotten\619-236-6724, MS 51A

City Attorney Contact: Verdugo, Marco A.



\* ITEM-106: 2016-2020 Local Government Partnership Grant Agreement.

**ITEM DESCRIPTION:**

This action is to approve the Grant Agreement to jointly deliver the City of San Diego Partnership 2016-2020 Energy Efficiency Program (the "Agreement"). The Agreement is between the City of San Diego and San Diego Gas & Electric Company ("SDG&E"), and is an allocation of \$7,500,000 to support the goals set forth by the California Public Utilities Commission "Energy Efficiency Strategic Plan".

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-440)

Authorizing the Mayor, or his designee, to execute an Agreement with San Diego Gas and Electric (SDG&E) for and on behalf of the City of San Diego, for management and implementation of the California Public Utilities Commission (CPUC) Local Government Partnership Program not to exceed \$7,500,000 for program years 2016 through 2020, on the terms and conditions contained in the document;

Authorizing the Chief Financial Officer to accept, appropriate and expend funds up to \$7,500,000 from the CPUC, via SDG&E on a quarterly reimbursement basis, under its Local Government Partnership Program to provide funding for management and implementation of energy efficiency programs in years 2016 to 2020, as determined by the Mayor, or his designee, in accordance with and subject to CPUC Local Government Partnership guidelines;

Authorizing the Mayor, or his designee, to take all necessary actions annually to secure all available Grant Funds for implementing the Local Government Partnership Program for a period of five years from January 1, 2016, to December 31, 2020;

Authorizing the Mayor, or designee, to execute reasonable and necessary Amendments to the Local Government Partnership Agreement with SDG&E in program years 2016 through 2020, including in such circumstances where amendments may be necessitated by a CPUC final decision in Phase II of R.13-11-005.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Project implementation is intended to reduce energy consumption at City facilities and in the community. As a result, City expenditures for energy are anticipated to decrease. All administrative and operational costs for the Local Government Partnership (LGP) are reimbursed to the City by the California Public Utilities Commission (CPUC) through the LGP Grant that is administered by San Diego Gas and Electric (SDG&E) in the amount not to exceed \$7,500,000.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

None for this Program Agreement cycle.

Sierra/Gomez

Primary Contact\Phone: Lorie Cosio Azar\858-627-3352

Secondary Contact\Phone: Darren Greenhalgh\858-573-1214

City Attorney Contact: Ortlieb, Frederick M.

- \* ITEM-107: Community Projects, Programs, and Services Funding Allocation to Jewish Family Service for the Rides and Smiles Program. (Eastern and Northern San Diego and North County Inland Community Areas. Districts 1, 2, 3, 5, 6, 7, and 9.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council Districts 1 and 3, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Jewish Family Service for an amount not to exceed \$25,000 for the Rides and Smiles Program.

**COUNCIL PRESIDENT LIGHTNER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-493)

Declaring that the allocation described in this resolution is made for a public purpose;

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, a Community Projects, Programs, and Services FY 2016 City Council Allocations Agreement between the City of San Diego and the Jewish Family Service (Agreement) in an amount not to exceed \$25,000 for the Project described in this resolution, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$20,000 from Council District 1: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1101110001; \$5,000 from Council District 3: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1103110003, for a total of \$25,000, all to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Waiving Council Policy 100-06, Section 3(g) which provides: "An organization may not apply to receive funding for an event or program which has already occurred, not any capital improvement, goods, supplies, materials, or equipment which have already been purchased.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

\$25,000 in Community Projects, Programs, and Services Funding from the following Funds/Cost Centers:

CD1: Fund No. 100000, Cost Center No. 1101110001: \$20,000

CD3: Fund No. 100000, Cost Center No. 1103110003: \$5,000

for the purpose of funding the Rides and Smiles Program.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** N/A

Lightner

Primary Contact\Phone: Erin Demorest\619-236-6611, MS 10A

Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A

City Attorney Contact: Berry, Jennifer L.

- \* ITEM-108: Community Projects, Programs, and Services Funding to Friends of Tecolote Canyon for Family Day at the Tecolote Nature Center. (Clairemont and Linda Vista Community Areas. Districts 2 and 6.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council District 2, along with authorization from City Council, are requested to allow the Mayor, or his designee, to enter into an Agreement with Friends of Tecolote Canyon for an amount not to exceed \$3,000 for Family Day at the Tecolote Nature Center.

**COUNCILMEMBER ZAPF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-492)

Declaring that the allocation described in this resolution is made for a public purpose;

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, a Community Projects, Programs, and Services FY 2016 City Council Allocations Agreement between the City of San Diego and the Friends of Tecolote Canyon (Agreement) in an amount not to exceed \$3,000 for the Project described in this resolution, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$3,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center 1102110002, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

\$3,000 in Council Community Projects, Programs, and Services Funding from Fund No. 100000, Cost Center No. 1102110002, will be used for Family Day at the Tecolote Nature Center.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** N/A

Batten

Primary Contact\Phone: Kelly Batten\619-236-6622, MS 10A  
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A  
City Attorney Contact: Berry, Jennifer L.

- \* ITEM-109: City Council Community Projects, Programs, and Services Funding Allocation to Mandate Project Impact for Mentorship/Internship Program. (Citywide.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council Districts 3, 4, and 6, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Mandate Project Impact for an amount not to exceed \$4,845 for Mentorship/Internship Program.

**COUNCILMEMBER GLORIA'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-498)

Declaring that the allocation described in this resolution is made for a public purpose;

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, a Community Projects, Programs, and Services FY 2016 City Council Allocations Agreement between the City of San Diego and the Mandate Project Impact, Inc. (Agreement) in an amount not to exceed \$4,845 for the Project described in this resolution, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,345 from Council District 3: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1103110003; \$2,000 from Council District 4: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1104110004; \$1,500 from Council District 6: Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center No. 1106110006, for a total of \$4,845, all to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

\$4,845 in Council Community Projects, Programs, and Services Funding from the following Funds/Cost Centers:

CD3: Fund No. 100000, Cost Center 1103110003, \$1,345

CD4: Fund No. 100000, Cost Center 1104110004, \$2,000

CD6: Fund No. 100000, Cost Center 1106110006, \$1,500

for the purpose of funding Mentorship/Internship Program.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** N/A

Fox

Primary Contact\Phone: Jamie Fox\619-236-6633, MS 10A

Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A

City Attorney Contact: Berry, Jennifer L.

- \* ITEM-110: Community Projects, Programs, and Services Funding Allocation to Jewish Family Service (JFS) for Foodmobile and Thanksgiving Packages. (Clairemont, Kearny Mesa, Miramar, Sorrento Valley, Mira Mesa, and Rancho Peñasquitos Community Areas. District 6.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council District 6, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with Jewish Family Service for an amount not to exceed \$5,000 for Foodmobile and Thanksgiving Packages.

**COUNCILMEMBER CATE'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-501)

Declaring that the allocation described in this resolution is made for a public purpose; Waiving Council Policy 100-06, Section 3(g), which provides: "An organization may not apply to receive funding for an event or program which has already occurred, nor any capital improvement, goods, supplies, materials, or equipment which have already been purchased";

Authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, a Community Projects, Programs, and Services FY 2016 City Council Allocations Agreement between the City of San Diego and the Jewish Family Service (Agreement) in an amount not to exceed \$5,000 for the Project described in this resolution, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$5,000 from the Community Projects, Programs, and Services Budget Fund No. 100000, Cost Center 1106110006, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

\$5,000 in City Council Community Projects, Programs, and Services Funding from Council District 6 Fund No. 100000, Cost Center No. 1106110006, will be used for Foodmobile and Thanksgiving Packages.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** N/A

Cate

Primary Contact\Phone: Councilmember Cate\619-236-6616, MS 10A  
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A  
City Attorney Contact: Berry, Jennifer L.



- \* ITEM-111: Arts, Culture, and Community Festivals Funding Allocation to the Grantville-Allied Gardens Kiwanis Foundation for the First Friday Summer Concert Series. (Grantville, Allied Gardens, San Carlos, and Del Cerro Community Areas. District 7.)

**ITEM DESCRIPTION:**

Approval of the funding allocation from Council District 7, along with authorization from the City Council are requested to allow the Mayor, or his designee, to enter into an Agreement with the Grantville-Allied Gardens Kiwanis Foundation for an amount not to exceed \$5,000 for the First Friday Summer Concert Series.

**COUNCILMEMBER SHERMAN'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-480)

Authorizing the Mayor, or his designee, to enter into an Agreement with the Grantville-Allied Gardens Kiwanis Foundation for an amount not to exceed \$5,000 for the Project described in this resolution, under terms and conditions set forth in the Agreement;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$5,000 from CD 7: Fund No. 200205, Cost Center No. 14114111218, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Waiving Council Policy 100-23(g), which provides: "An organization may not apply to receive funding for an event or program which has already occurred, nor any capital improvement, goods, supplies, materials, or equipment which have already been purchased";

Declaring that the recommended funding for the Project described herein is for a public purpose.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

\$5,000 in Arts, Culture, and Community Festivals Funding from Fund No. 200205/Cost Center No. 1414111218, will be used for the First Friday Summer Concert Series.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** N/A

Tetlow

Primary Contact\Phone: Barrett Tetlow\619-236-6677, MS 10A  
Secondary Contact\Phone: Courtney Thomson\619-236-5918, MS 10A  
City Attorney Contact: Berry, Jennifer L.

- \* ITEM-112: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2016-253)

Declaring a continued state of emergency to persist relative to the escalated discharge of raw sewage from Tijuana, Mexico, pursuant to California Government Code Section 8630;

Authorizing the Mayor, or his designee, to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage;

Declaring that the measures previously taken in accordance with Resolution Number R-282544 shall continue to have full force and effect.

- \* ITEM-113: Declaring a Continued State of Emergency regarding anticipated El Niño weather conditions.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2016-318)

Declaring a continued state of emergency to exist due to the imminent risk of flooding caused by El Niño, pursuant to California Government Code Section 8630;

Declaring that the measures previously taken by the City Council in Resolution Number R-310079 shall continue to have full force and effect.

PROCLAMATIONS/CEREMONIAL ITEMS

**NOTE:** The following Proclamations will be presented in Council Chambers and approved by Unanimous Consent unless pulled for discussion.

ITEM-30: Fair Housing Month.

**PRESENTED BY MAYOR FAULCONER AND COUNCILMEMBER GLORIA:**

Proclaiming April 2016, to be "Fair Housing Month" in the City of San Diego.

ITEM-31: Ralph Rubio Day.

**PRESENTED BY COUNCILMEMBER ZAPF:**

Proclaiming April 5, 2016, to be "Ralph Rubio Day" in the City of San Diego.

ITEM-32: David Akin Day.

**PRESENTED BY COUNCILMEMBER GLORIA:**

Proclaiming April 5, 2016, to be "David Akin Day" in the City of San Diego.

\* ITEM-33: This item has been removed from today's docket. (Rev. 3/30/16)

**NOTE:** The following Proclamations will NOT be presented in Council Chambers. They will be approved by Unanimous Consent unless pulled for discussion.

ITEM-34: California Native Plant Week.

**COUNCIL PRESIDENT LIGHTNER 'S RECOMMENDATION:**

Proclaiming April 17, 2016, through April 23, 2016, to be "California Native Plant Week" in the City of San Diego.

ITEM-35: March for Meals Day.

**COUNCIL PRESIDENT LIGHTNER'S RECOMMENDATION:**

Proclaiming March 23, 2016, to be "March For Meals Day" in the City of San Diego.

ITEM-36: Jo Dee Catlin Jacob Day.

**COUNCILMEMBER GLORIA'S RECOMMENDATION:**

Proclaiming March 16, 2016, to be "Jo Dee Catlin Jacob Day" in the City of San Diego.

ITEM-37: Bouavanh Rasih Day.

**COUNCILMEMBER COLE'S RECOMMENDATION:**

Proclaiming April 2, 2016, to be "Bouavanh Rasih Day" in the City of San Diego.

ITEM-38: Jersey Mike's San Diego Day.

**COUNCILMEMBER CATE'S RECOMMENDATION:**

Proclaiming March 30, 2016, to be "Jersey Mike's San Diego Day" in the City of San Diego.

ITEM-39: Officer David Felkins Day.

**COUNCIL PRESIDENT PRO TEM EMERALD'S RECOMMENDATION:**

Proclaiming March 24, 2016, to be "Officer David Felkins Day" in the City of San Diego.

ITEM-40: Rolando Community Council Street Fair Day.

**COUNCIL PRESIDENT PRO TEM EMERALD'S RECOMMENDATION:**

Proclaiming March 20, 2016, to be "Rolando Community Council Street Fair Day" in the City of San Diego.

**SPECIAL ORDERS OF BUSINESS**

None.

**NON-AGENDA PUBLIC COMMENT**

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6.2, of the San Diego Municipal Code, comments are limited to two minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Non-Agenda Public Comment is limited to 30 minutes during the Tuesday morning Council session. Any remaining speakers will be given an opportunity to speak after Council concludes the remaining agenda items for that day. Speaker order will generally be decided on a first-come, first-served basis. However, in the event that there are more than 15 Non-Agenda Public Comment speakers on a particular Tuesday, priority may be given to speakers who have not addressed the legislative body during "Non-Agenda Public Comment" at the last regularly scheduled Council meeting.

**MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY, CITY CLERK COMMENT**

**UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)**

**REQUESTS FOR CONTINUANCE**

The Council will consider requests for continuance in the morning or afternoon, based on when the item was noticed to be heard.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS  
RESOLUTIONS:

**This item may be taken in the morning session if time permits.**

ITEM-330: Appointment and Reappointment to Planning Commission.

**MAYOR FAULCONER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-473)

Council confirmation of the following appointment and reappointment by the Mayor of the City of San Diego, to serve as members of the Planning Commission, for terms ending as indicated:

**NAME**

**TERM ENDING**

William Hoffman  
(Carmel Valley, District 1)  
(Filling the seat previously held by  
Tim Golba, who is termed out)

1/28/2020

Susan Peerson  
(Point Loma, District 2)  
(Reappointment)

1/28/2020

**The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-331: 2016 Salary Setting Commission's Recommendations.

**ITEM DESCRIPTION:**

Consider the Salary Setting Commission recommendation that the salary for Fiscal Year 2017 and Fiscal Year 2018 remain at \$75,386 for Councilmembers and \$100,464 for the Mayor and that as long as the City Council votes on its own salary, the Councilmembers and Mayor in office should not benefit or be penalized by that change while they are in office and adopt the resolution determining salaries for the Mayor and Council for Fiscal Years 2017 and 2018 and directing the City Attorney to incorporate the salaries into the annual salary ordinance.

**PERSONNEL DIRECTOR'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-479)

Directing the City Attorney, to incorporate the following amounts in the Annual Salary Ordinance for Fiscal Year 2017 to be effective July 1, 2016, and the Annual Salary Ordinance for Fiscal Year 2018 to be effective July 1, 2017, pursuant to Section 41.1 of the Charter:

	<u>FY 2017</u>	<u>FY 2018</u>
Mayor	\$100,464	\$100,464
Councilmember	\$75,386	\$75,386

**SUPPORTING INFORMATION:**

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Dehghani

Primary Contact\Phone: Hadi Dehghani\619-236-6155

Secondary Contact\Phone: Chris Alvarado\619-236-7048

City Attorney Contact: Dugard, Prescilla

**The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-332: Authorization to Sell City Property at the SE Corner of Jamacha Road at Cardiff Street and Pay a Real Estate Broker Commission. (Skyline and Paradise Hills Community Areas. District 4.)

**ITEM DESCRIPTION:**

Authorize the Mayor, or his designee, to sell City owned property located at the SE Corner of Jamacha Road at Cardiff Street, APN 577-370-20 at or above its appraised value and pay a real estate broker commission based on a percentage of the final sale price.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-433 Cor. Copy)

Authorizing the Mayor, or his designee, to sell that certain .602 acres of real property owned by the City, located at the southeast corner of Jamacha Road and Cardiff Street, in the City of San Diego, identified by Assessor's Parcel Number 577-370-20, and described as a vacant unimproved lot, subject to reservation of ownership by the City of the street and utility improvements (Public Improvements) and further a reservation of an easement for public street and public utility purposes, such as public street, sidewalk, and drainage, at a price equal to or greater than \$660,000, which is the minimum acceptable sale price for at least the twelve month period following the passage of this resolution;

Directing and authorizing the Mayor, or his designee, to do all of the following in connection with the sale of the Property:

1. The Property shall be re-appraised at least once every twelve (12) months until sold, and the resulting appraised value of the Property shall become the minimum acceptable sales price, provided that it is greater than \$660,000. If the re-appraised value is less than the minimum acceptable sale price set on the date of this resolution, the Mayor, or his designee, determine that the Property cannot be sold at or above the minimum acceptable sale price set on the date of this resolution, the Mayor shall seek review and additional direction from the Council as to the disposition of the Property.
2. To retain, on terms deemed by the Mayor, or his designee, to be reasonable and in the best interests of the City, the services of a real estate broker to represent the City and facilitate the sale of the Property, and to pay the real estate broker a commission related to the sale of the Property in an amount not to exceed six percent (6%) of the sale price, which shall be done in compliance with San Diego Municipal Code Section 22.0905.
3. To accept an offer to purchase the Property based on the above criteria, on terms and conditions deemed by the Mayor, or his designee, to be reasonable and in the best interest of the City, and to execute and deliver, on behalf of the City,



a Purchase and Sale Agreement, grant deed, and all other agreements and documents, necessary to complete the sale and transfer the property to the buyer;

Authorizing and directing the Chief Financial Officer to accept the proceeds of the sale of the Property, net of brokerage commissions and other costs of selling the Property, and deposit them into the Capital Outlay Fund 400002.

Subitem-B: (R-2016-435)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15312, and that an exception to the exemption does not apply;

Determining that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Proceeds from the sale, net of costs related to the sale, will be deposited in the Capital Outlay Fund 400002.

**PREVIOUS COUNCIL ACTION AND/OR COMMITTEE ACTION:**

R-302653, May 29, 2007, authorized sale of Jamacha Road and Cardiff Street at a minimum price of \$725,000.

An informational item regarding Excess Property Sales was presented to the Smart Growth and Land Use Committee on June 10, 2015.

This item was heard at the Smart Growth and Land Use Committee meeting on February 10, 2016.

**ACTION:** Motion by Councilmember Gloria, second by Councilmember Alvarez, to forward the item to Council without recommendation.

**VOTE:** 4-0; Zapf-yea, Gloria-yea, Sherman-yea, Alvarez-yea.

Thompson/Villa

Primary Contact\Phone: Mary Carlson\619-236-6079, MS 51A

Secondary Contact\Phone: Cybele Thompson\619-236-6145, MS 51A

City Attorney Contact: Ables, Melissa D.

**The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.**

ITEM-333: Annual Report on Internal Financial Control 2015.

**ITEM DESCRIPTION:**

This item is to present the Annual Report on Internal Controls 2015 prepared in accordance with Municipal Code Section 22.0708 as an informational item.

**CITY COMPTROLLER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-461)

Accepting the Annual Report on Financial Controls.

**SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

No fiscal impact.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

This item was heard at the Audit Committee meeting on March 9, 2016.

**ACTION:** Motion by Committee Member Hebrank, second by Committee Member Spencer, to accept the report and forward to Council.

**VOTE:** 5-0; Sherman-yea, Zapf-yea, Hebrank-yea, Spencer-yea, Valdivia-yea.

Charvel/Lewis

Primary Contact\Phone: Rolando Charvel\619-236-6869, MS 6A

Secondary Contact\Phone: Sarah Mayen\619-236-6852, MS 6A

City Attorney Contact: Will, Brant C.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

**This item will be taken in the morning session which is scheduled to begin at 10:00 a.m.**

ITEM-334: Creation of Underground Utility Districts at Cass Street, Ingraham Street, Hughes Street, Mount Acadia Boulevard, Golfcrest Drive, Coronado Avenue, and Seminole Drive (Phase II). (Pacific Beach, Mid City-Eastern Area, Clairemont Mesa, Navajo, and Otay Mesa-Nestor Community Plan Areas. Districts 2, 4, 6, 7, 8, and 9.)

**NOTE:** First heard at the meeting of February 23, 2016, Item 335.

**ITEM DESCRIPTION:**

In accordance with San Diego Municipal Code (SDMC), Chapter 6, Article 1, Division 5, Underground Utilities Procedural Ordinance, this action will create seven new Underground Utility Districts. The Resolution will provide for undergrounding all overhead utilities within the newly created Districts.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-396)

Adoption of a Resolution establishing Underground Utility Districts on Cass Street, Ingraham Street, Hughes Street, Mount Acadia Boulevard, Golfcrest Drive, Coronado Avenue, and Seminole Drive (Phase II), financed primarily through SDG&E Annual Allocation Funds (Rule 20a - Case 8209);

Determining that creation of the above described Districts is in the general public interest because in each District: such undergrounding will avoid or eliminate an unusually heavy concentration of overhead facilities; the street or road or right of way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic; the street or road or right of way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public; or the street, road, or right of way is considered an arterial street or major collector;

Determining that the public health, safety, or general welfare requires the removal of poles, overhead wires, and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service within the Districts set forth above and that pursuant to Chapter VI, Article One, Division Five, of the San Diego Municipal Code, the above Districts are hereby declared to be underground utility districts in the City of San Diego, and any maps and document referred to above are hereby incorporated as a part of this Resolution;

Authorizing the Mayor, or his designee, to establish schedules (District Schedules) for the underground conversion of all poles, overhead wires, and associated structures in each District;

Instructing the Mayor, or his designee, to notify, within fifteen calendar days of the effective date of adoption of the District Schedule, all affected utility companies and all affected persons as defined in Chapter VI, Article 1, Division 5, of the San Diego Municipal Code, of the provisions of the District Schedule, of the date by which all poles and related overhead structures shall be removed, and of the applicable date by which all work required to convert the facilities shall be accomplished. The Mayor, or his designee, shall further notify said affected persons as defined in Chapter VI, Article 1, Division 5, of the San Diego Municipal Code that if they desire to continue to receive electric, communication, community antenna television or similar or associated service they shall permit installation of all necessary facility changes on their premises, or provide such changes at their own expense, so as to receive underground service from the supplying utility company's relocated underground lines, subject to applicable rules, regulations and tariffs of the respective utility company on file with the Public Utilities Commission of the State of California (as of the date of adoption of this Resolution) and subject to all other applicable requirements of State law and City Ordinances.

#### **STAFF SUPPORTING INFORMATION:**

##### **FISCAL CONSIDERATIONS:**

The estimated construction cost of \$4,805,950 for electrical utility work within the public right-of-way and private property will be funded through the use of SDG&E Rule 20 (A) funds, as directed by the California Public Utilities Commission (CPUC), Case 8209. Costs to convert AT&T and cable television are funded directly by AT&T and the cable companies per applicable CPUC Tariffs and City Agreements. Other direct costs such as administration, streetlight replacement, street resurfacing, and other related work estimated at \$2,888,091 will be funded through Undergrounding Surcharge Fund 200217, contingent upon receipt of funds from SDG&E. This action will not appropriate any new budget.

##### **PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

City Council Resolution R-305773, approving the 2009 Master Plan for the Utilities Undergrounding Program. Report to City Council No. 12-084/R-306875, regarding the Status of the Utilities Undergrounding Program approved on July 31, 2012, and authorized staff to begin working on the Districts on this item.

McFadden/Gomez/hy

Primary Contact\Phone: Hasan Yousef\619-533-3012, MS 608

Secondary Contact\Phone: James Nabong\619-533-3721, MS 608

City Attorney Contact: Gerrity, Ryan

**This item will be taken in the morning session which is scheduled to begin at 10:00 a.m.**

ITEM-335: Huntington Avenue Storm Drain, Project No. 302219. (Serra Mesa Community Plan Area. District 7.)

**ITEM DESCRIPTION:**

This is a Capital Improvement Project (CIP) which requires a Site Development Permit for Environmentally Sensitive Lands to replace approximately 300 linear feet (LF) of storm drain and to repair a sinkhole. Work would occur within an easement and on City owned land within Ruffin Canyon adjacent to the intersection of Huntington Avenue and Wilbee Court.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem A: (R-2016-470)

Adoption of a Resolution certifying that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as lead agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the City Council in connection with the approval of the Project;

Adopting said Declaration, on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, there is no substantial evidence that the Project will have a significant effect on the environment;

Adopting the Mitigation, Monitoring, and Reporting Program, or alterations to implement the changes to the Project as required by the City Council in order to mitigate or avoid significant effects on the environment, pursuant to CEQA Section 21081.6, which is attached hereto as Exhibit A;

The Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the Office of the Development Services Department, 1222, First Avenue, San Diego, CA 92101;

Directing the City Clerk to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

**NOTE:** This item is not subject to the Mayor's veto.

Subitem B: (R-2016-471)

Adoption of a Resolution adopting findings with respect to Site Development Permit (SDP) No. 1078361 which are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference;

Granting SDP No. 1078361 to City of San Diego Public Works Department Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this Resolution.

**NOTE:** This item is not subject to the Mayor's veto.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

This project was previously approved and funded pursuant to Capital Improvement Budget WBS B-12021.02.01.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** None.

Vacchi\Graham\hd

Primary Contact\Phone: Helene Deisher\619-446-5223, MS 301

Secondary Contact\Phone: Angela Nazareno\619-446-5277, MS 301

City Attorney Contact: Thomas, Shannon M.

**PUBLIC NOTICES:**

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-350: Public Examination of Election Materials.

February 1, 2016

Pursuant to San Diego Municipal Code Section 27.0403, candidate statements, the propositions and related ballot materials for said candidate races and propositions, to be submitted to the voters within the City of San Diego at the election of June 7, 2016, will be available for public examination for ten (10) calendar days prior to being submitted for printing in the sample ballot. During the examination period, any voter registered in the City may seek a writ of mandate or an injunction requiring any or all of the ballot or sample ballot materials be amended or deleted. Please note the following examination periods:

<u>Document</u>	<u>Start date</u>	<u>End date</u>
Candidate Statements of Qualification <b>and</b> Designations of Principal Profession or Occupation	March 11, 2016	March 21, 2016
Ordinances calling election <b>and</b> Ordinances placing measures on the ballot	March 14, 2016	March 24, 2016
City Attorney's impartial analysis, ballot title and summary, <b>and</b> Mayor/IBA/City Auditor's fiscal analysis	March 22, 2016	April 1, 2016
Ballot arguments	March 25, 2016	April 4, 2016

For additional information regarding this matter, please contact the Office of the City Clerk at (619) 533-4000.

ITEM-351: Submission of Ballot Proposals for the November 8, 2016 Ballot.

**SUBMISSION OF BALLOT PROPOSALS  
FOR THE NOVEMBER 8, 2016 BALLOT**

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket, prior to the election, the ballot proposals which have been referred to Council following Committee review.

Therefore, the City Clerk has established the following administrative guidelines for the November 8, 2016, election.

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Tuesday	6/7/16	154	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Wednesday	6/15/16	146	Committee review
Monday	6/27/16	134	Council Docket (PUBLIC NOTICE) lists proposals referred by Committee
Monday- Tuesday	7/11/16 8/2/16	120- 98	Council to discuss propositions and direct City Attorney to prepare ordinances placing measures on the ballot, and adopt prepared ordinances
Friday	8/12/16	88	Last day for City Clerk to file with Registrar of Voters all elections material
Monday	8/22/16	78	Impartial and Fiscal Analyses and ballot titles/summaries due to the City Clerk
Thursday	8/25/16	75	Last day to file ballot arguments with City Clerk

If you have questions, please contact the Office of the City Clerk at (619) 533-4000.



NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT